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JAN 27 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

WALLMAN  
STRATEGIC CONSULTING, LLC

555 12th Street, N.W.  
Washington, D.C. 20004

voice 202.347.4964  
fax 202.347.4961

January 27, 2000

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

*Ex Parte* Filing  
CC Docket No. 98-184

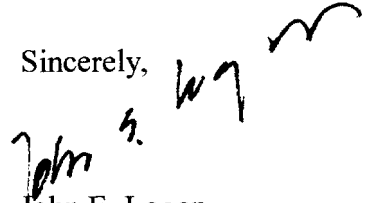
Dear Ms. Salas:

On January 27, 2000, Richard A. Karre and Tina S. Pyle of MediaOne Group and John E. Logan and Robert W. Spangler of Wallman Strategic Consulting, LLC, met with Suzanne M. Tetreault, Trent Harkrader and Darius Withers of the Enforcement Bureau concerning Bell Atlantic's failure to provide timely responses to MediaOne's requests to port local telephone numbers in Richmond, Virginia. MediaOne also explained how Bell Atlantic has failed to comply with the Commission's rules regarding execution of orders to change local telephone service carriers. MediaOne previously raised certain of those issues in an *ex parte* filing in the referenced proceeding. The MediaOne representatives described the adverse impact that Bell Atlantic's actions have had on its efforts to provide residential local exchange service in Richmond. The details of MediaOne's presentation are contained in the enclosed 12-page document, which was distributed at the meeting, as well as the enclosed letter that was sent to Bell Atlantic.

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In accordance with the Commission's rules, the original and one copy of this letter and its enclosures are being filed with the Office of the Secretary for inclusion in the public record.

Sincerely,

  
John E. Logan

Enclosures

cc: Suzanne M. Tetreault, Esq. (w/o enclosures)  
Trent Harkrader, Esq.  
Darius Withers, Esq.

December 13, 1999

James R. Young, Esquire  
Executive Vice President and General Counsel  
Bell Atlantic Corporation  
1310 Courthouse Road, 11<sup>th</sup> Floor  
Arlington, Virginia 22201

**MediaOne**  
**Group**

RE: LNP Processing, Richmond

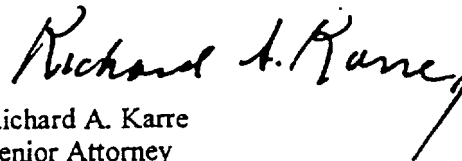
Dear Mr. Young:

Enclosed you will find a copy of an *ex parte* letter filed by MediaOne with the Federal Communications Commission (FCC) in CC Docket No. 98-184. The letter discusses the severe problems MediaOne faces in providing competitive telephone service in Richmond because of Bell Atlantic's continued mishandling of orders for local number portability. Bell Atlantic utilizes manual processes for LNP orders, and those processes have proven woefully inadequate to handle the flow of orders from MediaOne and other Virginia competitive local exchange carriers (CLECs).

I bring this to your attention in the hopes that you can influence Bell Atlantic's management to introduce automated processing for LNP orders. Absent that, Bell Atlantic's LNP processing will likely never keep pace with the increasing number of CLEC orders. That would be intolerable, particularly given that Bell Atlantic uses automated processes to provision retail orders from its own end-user customers, thereby obtaining competitive advantage from its inept handling of its competitors' LNP orders.

I would appreciate hearing from you in the next two weeks. Unless Bell Atlantic can remedy this situation promptly, we will be forced to seek redress in the courts and/or regulatory agencies. Thank you for your attention to this matter.

Yours truly,



Richard A. Karre  
Senior Attorney  
MediaOne Group  
188 Iverness Drive West  
Englewood, Colorado 80112  
303.858.3504

enclosure

This is Broadband. This is the way.

December 9, 1999

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

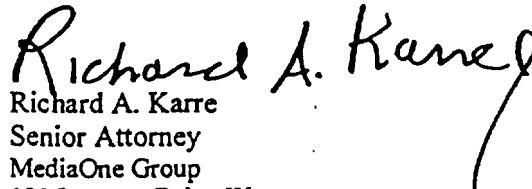
Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

Re: *Ex Parte* Submission  
CC Docket 98-184

Dear Ms. Salas:

Enclosed is an *ex parte* submission to the Chief of the Common Carrier Bureau and other individuals of the Commission's staff. This submission relates to the proposed merger of Bell Atlantic and GTE, CC Docket 98-184. The necessary copies are enclosed.

Respectfully,

  
Richard A. Karre  
Senior Attorney  
MediaOne Group  
188 Iverness Drive West  
Englewood, Colorado 80112  
303.858.3504

enclosure

December 9, 1999

Mr. Lawrence Strickling  
Chief  
Common Carrier Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

RE: CC Docket No. 98-184  
Bell Atlantic/GTE

Dear Mr. Strickling :

On March 11, 1999, MediaOne made an *ex parte* presentation to the Commission staff responsible for reviewing the proposed merger between Bell Atlantic and GTE. In that presentation, MediaOne suggested that, if the Commission is inclined to approve that merger, it should impose several conditions.

Those conditions included one related to local number portability (LNP). In it, MediaOne suggested that the Commission require Bell Atlantic and GTE to collaborate with competitive LECs to develop and implement processes for the implementation of LNP prior to the close of the merger. Those procedures would include —

- nondiscriminatory access to OSS functions to request and obtain LNP in a timely and efficient manner; and
- processes to ensure that the provisioning of number portability is timely and coordinated with loop cutovers.

Because of recent experience with Bell Atlantic's handling of LNP orders in Virginia, MediaOne believes even more strongly that the Commission should impose the conditions we proposed nine months ago.

Bell Atlantic relies solely on manual processes to handle LNP orders from facilities-based CLECs, such as MediaOne. Thus, after a MediaOne employee transmits a local service request (LSR) to Bell Atlantic electronically, via Bell Atlantic's graphic user interface (GUI), a Bell Atlantic employee must manually re-enter the transmitted data. The inefficiencies inherent in this process have caused Bell Atlantic to insist on a 48-hour turnaround for returning a firm-order commitment (FOC) after it has received an LSR for LNP; industry standards call for the return of an FOC within 24 hours of receipt.

Bell Atlantic missed a 48-hour turnaround on some 80% of MediaOne's LSRs. Moreover, Bell Atlantic often does not even come close to a 48-hour turnaround. One day recently, MediaOne had 23 customer orders due; Bell Atlantic had yet to return an FOC for 14 of those orders – a week after MediaOne had submitted LSRs. All of these orders obviously had to be rescheduled. Indeed, when Bell Atlantic's processing delays have invalidated a requested due date, Bell Atlantic sometimes unilaterally reschedules, thereby wreaking havoc with MediaOne's (and its customer's) plans.

When MediaOne has a problem with an LNP order, it must resolve the issue by means of a telephone call to Bell Atlantic's Telecom Industry Services Operations Center (TISOC). Getting through to the TISOC frequently involves long holding times, after which Bell Atlantic's representative will resolve only three orders; the MediaOne employee must then re-place the call, wait to get through to a Bell Atlantic representative, resolve three more orders, and so on.

To make matters worse, Bell Atlantic recently rejected 102 MediaOne LNP orders because MediaOne had completed a particular field on the LSR, as directed by Bell Atlantic's LSR requirements. When MediaOne inquired about the rejection, Bell Atlantic advised MediaOne – for the first time – that it had changed its requirements, so that this particular field must be left blank. Bell Atlantic refused to correct the LSRs, requiring MediaOne to correct and re-submit them.

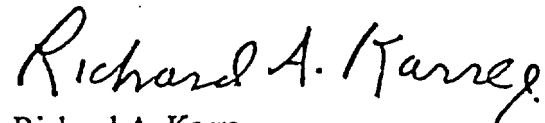
These problems obviously hinder MediaOne's ability to provision service for would-be customers. At best, Bell Atlantic's inept processing of LNP orders requires MediaOne to devote time and resources simply to ensure that its orders get processed. Frequently, however, MediaOne loses the prospective customer. Bell Atlantic processes its own retail orders electronically, so it has no need to work through the problems it imposes on its competitors.

Bell Atlantic has made no effort to implement electronic processes that would enable facilities-based CLECs to enter LNP orders directly, without the need for human intervention within the TISOC. Instead, Bell Atlantic attempts to increase the capacity of the TISOC by increasing the staff there, a time-consuming process, in which Bell Atlantic will always be playing catch-up as the volume of LNP orders continues to grow. Absent regulatory compulsion, Bell Atlantic is unlikely ever to rectify this situation, which materially aids Bell Atlantic's ability to maintain its virtual monopoly on local service.

Bell Atlantic's conduct substantially deters the provision of competitive local telephone service to residential customers. The result of this conduct accrues solely to Bell Atlantic's benefit. For these reasons, MediaOne asks that the Commission require Bell Atlantic to reform its LNP practices as a condition for being allowed to complete its merger with GTE.

Respectfully,

Susan M. Eid  
Vice President for Federal Relations  
MediaOne Group  
1919 Pennsylvania Avenue, NW  
Washington, D.C. 20006  
202.261.2000



Richard A. Karre  
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MediaOne Group  
188 Iverness Drive West  
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Copies Provided To:

Christopher J. Wright  
General Counsel

Dorothy Attwood  
Legal Advisor to Chairman Kennard

Robert Atkinson  
Deputy Chief, Common Carrier Bureau

Paula Silberthau  
Office of the General Counsel

Common Carrier Bureau

Quoyen Truong  
Associate Chief  
Cable Services Bureau

Michael Kende  
Office of Plans and Policy

Jared Carlson  
Legal Counsel  
Common Carrier Bureau





*Digital Telephone Services*

# Creating Consumer Choice In Local Telecommunications:

## MediaOne's Experiences With Bell Atlantic - Virginia

January 27, 2000

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# Agenda

- Introduction to MediaOne
- MediaOne's Experience with Bell Atlantic-Virginia:
  - Local Number Portability
  - Switching Local Telephone Service
- Summary

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## **MediaOne's Domestic Broadband Service Areas**



◆ **MediaOne is one of the largest broadband companies in the United States:**

- **8.5 million homes passed**
- **5.0 million video customers**
- **Key markets:**

1. Central California  
2. Los Angeles  
3. Minneapolis/St. Paul

4. Detroit  
5. Richmond  
6. Atlanta

7. Jacksonville  
8. South Florida  
9. Northeast

◆ **At present, about 70% of MediaOne's network has been upgraded to 750 MHz, two-way.**

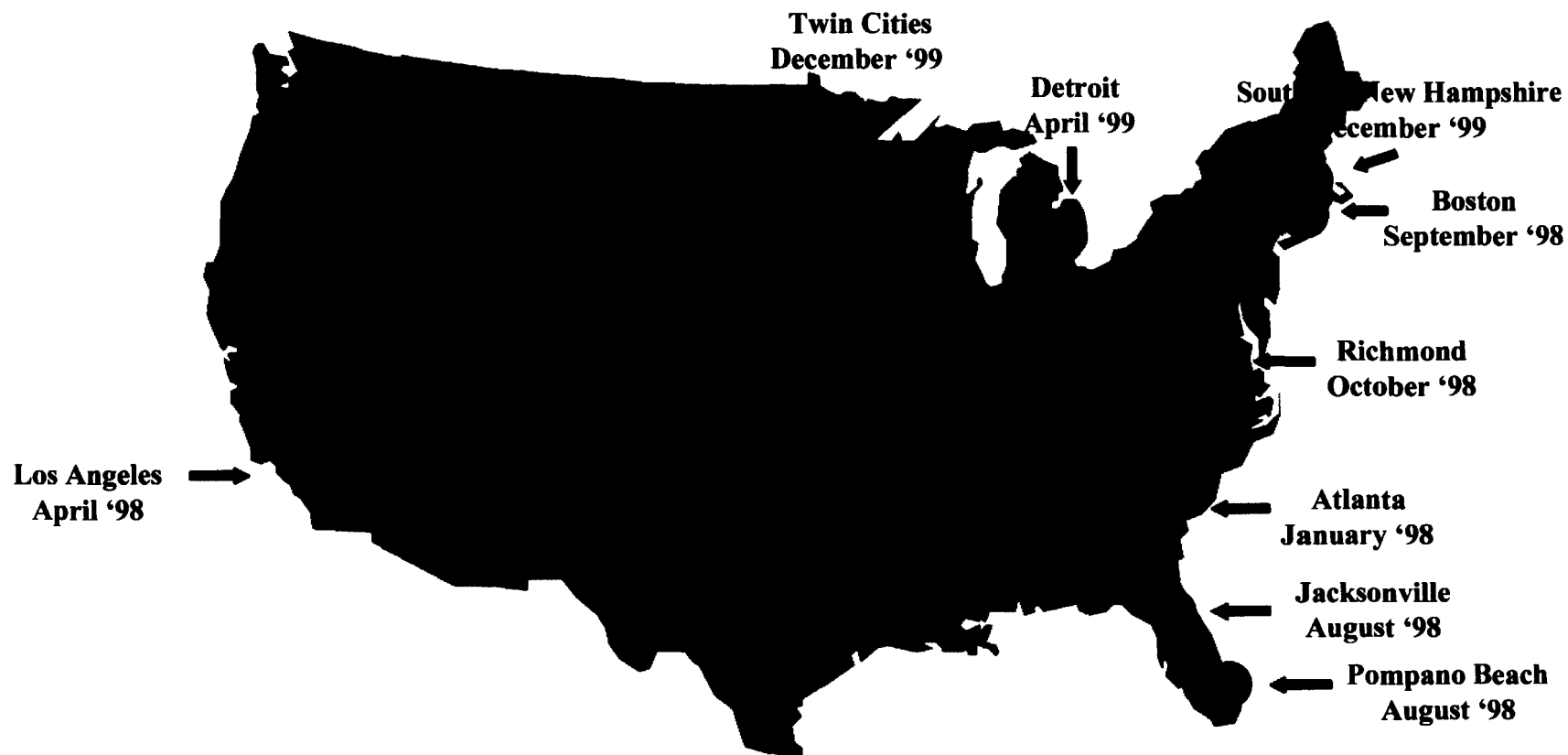
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# MediaOne's Broadband Investment

- MediaOne is committed to delivering the products its customers want and need — from basic cable television to digital video, voice and data.
- By the end of 2000, MediaOne will have invested more than \$7 billion to deliver the full menu of products and services over broadband networks.
- It costs approximately \$375 to \$450 per home passed to upgrade the network to 750 MHz and enable two-way services. The variable costs per customer (including installation) for the new products are:
  - Telephony \$500 for network interface unit
  - High-Speed Data \$300 - \$375 for cable modem
  - Digital Video \$320 - \$450 for digital box

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## MediaOne Digital Telephone Services



**MediaOne has launched facilities-based local telephone service to residential consumers in nine markets: Atlanta, Los Angeles, Jacksonville, Pompano Beach, Boston, Richmond, Detroit, the Twin Cities and southern New Hampshire.**

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## **Local Number Portability: Firm Order Confirmations**

- Most MediaOne customers choose to keep their current telephone numbers.
- Industry standards call for the return of a Firm Order Confirmation within 24 hours of receipt of a request to “port” a customer’s telephone number to a new provider.
- However, Bell Atlantic insists on a 48-hour turnaround for returning a Firm Order Confirmation.

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## **Local Number Portability: Failure to Meet 48-Hour Objective**

- Despite insisting on twice the time called for by industry standards -- 48 hours instead of 24 hours -- Bell Atlantic consistently fails to meet its own objective.
- In a recent ten-day period, Bell Atlantic missed the 48-hour turnaround on 71% of MediaOne's local number portability requests.
- Bell Atlantic's unacceptable performance of its local number portability obligations violates sections 251(b)(2) and 3(30) of the Act by impairing the "quality, reliability [and] convenience" of customers' service when they seek to switch local providers.

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## Failure to Meet 48-Hour Objective: Results of a 10-Day Period

<u>FOC Due Date</u>	<u>No. of Requests</u>	<u>No. Late (%)</u>
12/21	15	1 (7%)
12/22	13	6 (46%)
12/23	13	9 (69%)
12/27	38	26 (68%)
12/28	35	29 (83%)
12/29	55	44 (80%)
12/30	7	7 (100%)
1/3	10	9 (90%)
1/4	9	5 (56%)
1/5	20	17 (85%)
<b>Ten Day Total:</b>	<b>215</b>	<b>153 (71%)</b>

**As of 1/6/00, Bell Atlantic had not responded  
to 57 of these number portability requests.**



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# **Local Number Portability: Saturday Installations**

- Bell Atlantic's and U S WEST's practices preclude MediaOne from installing service on Saturdays.
- Bell Atlantic and U S WEST disconnect their service to new MediaOne customers on the day MediaOne is scheduled to install its service -- in most cases this is not a problem.
- But when the customer cancels or reschedules MediaOne's installation, MediaOne must contact the ILEC to stop the disconnection or the customer will have no telephone service at all.
- Bell Atlantic and U S WEST refuse to take such calls on Saturdays so MediaOne cannot install service to new customers on Saturdays.

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## **Local Number Portability: Saturday Installations**

- Bell Atlantic and U S WEST could easily resolve this problem by scheduling the disconnection work on the following Monday, which would give MediaOne a full business day to stop the disconnection. BellSouth does this today.
- U S WEST is considering changing its practices to accommodate MediaOne's Saturday installations, but has not yet agreed to do so.
- Bell Atlantic refuses to take this step because it does not do Saturday installations for its own customers.
- An ILEC's refusal to make a miniscule change to its local number portability procedures to permit MediaOne to perform Saturday installations violates its local number portability obligations by impairing the "quality, reliability [and] convenience" of customers' service when they change local providers.

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## Switching Local Telephone Service

- When a MediaOne customer chooses not to keep their existing telephone number, Bell Atlantic needs only to disconnect that customer's service on the appropriate date.
- Bell Atlantic will not accept a disconnect order from MediaOne -- it requires the customer to contact Bell Atlantic directly, thereby giving Bell Atlantic the opportunity to win back the customer.
- This practice violates section 64.1100(a)(2) of the Commission's rules, which requires Bell Atlantic to execute a change submitted by another carrier and prohibits Bell Atlantic from verifying that change.

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# Summary

Bell Atlantic's conduct substantially deters the provision of competitive local telephone service to residential customers.